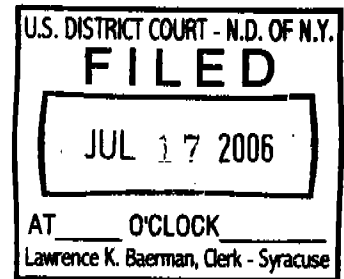


UNITED STATES DISTRICT COURT
Southern District of New York
Office of the Clerk
500 Pearl Street
New York, N.Y. 10007
(212)805-0136



J. Michael McMahon
Clerk

USDC ND OF NY

Date: 7/11/07

In Re: FOSAMAX

MDL 1789

Your Docket #

S.D. OF N.Y.

3:07-590

07 CV 6328

Dear Sir:

Enclosed is a certified copy of the order of the Judicial Panel on Multidistrict Litigation, transferring the above entitled action presently pending in your court, to the Southern District of New York and assigned to Judge KEENAN for coordinated or consolidated pretrial processing pursuant to 28 USC 1407.

Please return the copy of this letter when transmitting YOUR FILE and a CERTIFIED COPY OF THE DOCKET SHEET.

Sincerely,
J. Michael McMahon

A handwritten signature in dark ink, appearing to read "J. Michael McMahon", written over the typed name.

By:
MDL Unit

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUN 18 2007

FILED
CLERK'S OFFICE**A CERTIFIED TRUE COPY**

JUL - 5 2007

JUDGE KEENAN

07 CV**6328**ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DOCKET NO. 1789

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**IN RE FOSAMAX PRODUCTS LIABILITY LITIGATION****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-25)**

On August 16, 2006, the Panel transferred four civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 444 F.Supp.2d 1347 (J.P.M.L. 2006). Since that time, 56 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable John F. Keenan.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Keenan.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of August 16, 2006, and, with the consent of that court, assigned to the Honorable John F. Keenan.

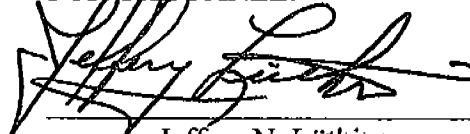
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

JUL - 5 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

A CERTIFIED COPY

J. MICHAEL MAHON,

CLERK

BY


DEPUTY CLERK

SCHEDULE CTO-25 - TAG-ALONG ACTIONS
DOCKET NO. 1789
IN RE FOSAMAX PRODUCTS LIABILITY LITIGATION

DIST. DIV. C.A.#

CASE CAPTION

CALIFORNIA CENTRAL

CAC 2 07-3490	Ilene Bujdoso, et al. v. Merck & Co., Inc., et al.	Opposed 7/5/07
CAC 2 07-3492	Francis Finch, et al. v. Merck & Co., Inc., et al.	Opposed 7/5/07
CAC 2 07-3493	Bennie Horton, et al. v. Merck & Co., Inc., et al.	Opposed 7/5/07
CAC 2 07-3495	Frank Martin, et al. v. Merck & Co., Inc., et al.	Opposed 7/5/07
CAC 2 07-3497	Cecilia Smith, et al. v. Merck & Co., Inc., et al.	Opposed 7/5/07

FLORIDA MIDDLE

FLM 8 07-965	Nancy Anderson v. Brite Dental Corp., et al.	Opposed 7/5/07
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NEW YORK NORTHERN

NYN 3 07-590	Terrie J. Watkins v. Merck & Co., Inc.	
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NEW YORK WESTERN

NYW 6 07-6278	Dorothy C. Resutek v. Merck & Co., Inc.	
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INVOLVED COUNSEL LIST (CTO-25)
DOCKET NO. 1789
IN RE FOSAMAX PRODUCTS LIABILITY LITIGATION

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